

REMARKS

Claims 1-50 are currently pending in the subject application and are presently subject to a Board of Patent Appeals and Interferences Decision for Appeal 2009-002773 (hereinafter, “Board Decision”). The rejections were affirmed-in-part and reversed-in-part. “The examiner *should never regard such a reversal as a challenge to make a new search* to uncover other and better references. This is particularly so where the application or *ex parte* reexamination proceeding has meanwhile been transferred or assigned to an examiner other than the one who rejected the claims leading to the appeal. The second examiner should give full faith and credit to the prior examiner's search.” *See* MPEP §1214.07, emphasis added.

Claims 6, 8, 11, and 23 have presently been amended to place them in independent form such that they do not depend from a rejected claim and are in accord with the Board Decision. Claims 1, 2, 4, 5, 13-15, 18, 19, 21, 22, and 35-38 have been cancelled. New claims 51-70 have been added. New claims 51-70 do not introduce new matter and are crafted in light of the Board Decision, by employing “non-alphanumeric graphical symbols” (*e.g.*, claims 51-65) or “purely graphical symbols” (*e.g.*, claims 66-70) in contrast to the “box with text” symbol of Jones (*see* Board Decision at pg.7, 2nd full paragraph) and as such are believed to be in condition for allowance.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

CONCLUSION

The undersigned requests reconsideration and withdrawal of all rejections in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [VWIEP101USB].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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